



2003/0713  
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#7

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Katsunori HIRASE et al.

Atty. Docket No. 107314-8009

Serial No.: 09/216,855

Examiner: Not yet Assigned

Filed: December 21, 1998

Art Unit: 2713

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For: AN APPARATUS AND PROCESS FOR DECODING MOTION PICTURES

Technology Center 2600

PETITION UNDER 37 CFR 1.181

Commissioner for Patents  
Washington, D.C. 20231

Date: January 13, 2003

Sir:

This petition is being made in reply to the Notice of Abandonment dated December 13, 2002 (a copy is enclosed). The Notice states that the application is abandoned for failure to reply to the Office letter mailed December 7, 2001. Applicants have not received said Office letter.

Applicants have attached a copy of an e-mail dated May 31, 2001 from the office of the undersigned to the U.S. Patent and Trademark Office which changed the undersigned's address for all of the listed cases. The above identified application is listed on page 13.

Accordingly, Applicants respectfully petitions the time period of reply to be reset and that a copy of the Office letter be sent to the undersigned. Applicants respectfully request that the decision on petition be faxed to **202-638-4810**, attention of the attorney of record, Charles M. Marmelstein.

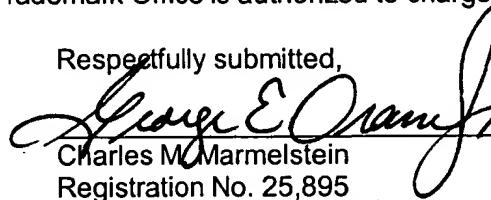
A check in the amount of \$130.00 as set forth in 37 CFR 1.17 is attached. If any further fee is due, the U.S. Patent and Trademark Office is authorized to charge Deposit Account No. 01-2300.

01/14/2003 MGBREM1 00000031 09216855

01 FC:1460

130.00 OP

Respectfully submitted,

  
Charles M. Marmelstein  
Registration No. 25,895

27931

Customer No. 004372  
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810  
CMM/iw  
Enclosures:  
Copy of Notice of Abandonment  
Copy of the e-mail dated May 31, 2001

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DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 2600

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OFFICE OF PETITIONS

**Drosos, Margaret**

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**From:** Drosos, Margaret  
**Sent:** Thursday, May 31, 2001 11:35 AM  
**To:** 'Stacy.Fuller@USPTO.GOV'  
**Subject:** RE: Error Report for Customer Number 04372



04372Cusno.xls

Here it is. I hope I marked it appropriately so that it is clear.

-----Original Message-----

**From:** Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
**Sent:** Wednesday, May 30, 2001 9:35 AM  
**To:** DrososM@ARENTFOX.COM  
**Subject:** RE: Error Report for Customer Number 04372

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**Technology Center 2600**

Attached is the original error report. This is a new process for all of us and we'll get it figured out eventually.

Thank you very much for your assistance and you should have access to your files in PAIR by the beginning of next week.

Thanks again,  
Stacy

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-----Original Message-----

**From:** Fuller, Stacy  
**Sent:** Tuesday, May 22, 2001 1:10 PM  
**To:**  
**Subject:** Error Report for Customer Number 04372

I have received your spreadsheet to associate your applications/patents with your customer number, and there are just a few more questions. There are a few files that are currently going to a different address for correspondence and we just have to do a little preventative maintenance to be absolutely sure that you do, in fact, want to update these files to your customer number.

Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

<<04372Cusno\_Error(1).xls>>

09386448	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09523309	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09493188	Nikaído Marmelstein Murray & Oram LLP
09497763	Nikaído Marmelstein Murray & Oram LLP
09708049	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09421282	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09396436	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09401661	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09407983	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09407984	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09419069	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09426200	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09426759	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09427013	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09427588	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09433956	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
29106216	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09417481	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
29104364	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
08811955	NIKAIDO MARMELESTEIN MURRAY AND ORAM
08817101	NIKAIDO MARMELESTEIN MURRAY AND ORAM
09209775	NIKAIDO MARMELESTEIN MURRAY AND ORAM
09203403	NIKAIDO MARMELESTEIN MURRAY AND ORAM
09522626	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09449907	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09438506	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09492009	Nikaído Marmelstein Murray and Oram LLP
09440135	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09481445	Nikaído Marmelstein Murray and Oram LLP
09490113	Nikaído Marmelstein Murray and Oram LLP
09514594	Nikaído Marmelstein Murray and Oram LLP
09462097	NIKAIDO MARMELESTEIN MURRAY7 ORAM
09321764	NIKAIDO MARMELESTEIN MURRY & ORAM LLP
09050025	NIKAIDO MARSMELSTEIN MURRAY & ORAM
08149826	NIKAIDO, MARMELESTEIN, MURRAY & ORAM
08200554	NIKAIDO, MARMELESTEIN, MURRAY & ORAM
09490114	NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP
09726564	NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP
09774601	NIKAIDO, MARMELESTEIN; MURRAY & ORAM LLP
09499747	NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP
09292563	WARREN M. CHEEK, JR.
09680694	ALLEN, DYER, DOPPELT, MILBRATH & GILCHRI
09539812	CAROL J ROTH
09258193	DAVID T NIKAIIDO
60035265	DOUGLAS H GOLDHUSH
09240006	DOUGLAS H GOLDHUSH
09081862	GEORGE E ORAM
09394889	GEORGE E ORAM JR
09433077	METROPOLITAN SQUARE
08881130	METROPOLITAN SQUARE
09154277	NIKAIDO MARMELESTEIN MURRAY & ORAM
09216855	NIKAIDO MARMELESTEIN MURRAY & ORAM



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/216,855	12/21/1998	KATSUNORI HIRASE	P7314-8009	9061

7590

12/13/2002

NIKAIDO MARMELESTEIN MURRAY & ORAM  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET N W  
SUITE 330 G STREET LOBBY  
WASHINGTON, DC 200055701



EXAMINER

WONG, ALLEN C

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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OFFICE OF PETITIONS

**Notice of Abandonment**

Application No.

09/216,855

Examiner

Allen Wong

Applicant(s)

HIRASE ET AL.

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 07 December 2001.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

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CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.